IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And

THE HON'BLE MR JUSTICE Ch.S.R.K. PRASAD

WRIT PETITION NO : 7813 of 2004

Between:

K.Ramaseshamma W/o. Late Kadiyala Venkateshwarloo
R/o.Madipadu Village and Panchayat Mandal, Prakasam District.

..... PETITIONER

AND

1 The StationHouse Officer Jeedimetla Police Station
2 The Integrated Welfare Society Sahakar Home for the Aged and Mentally Handicapped, Subhash Nagar (Krishna Nagar), Jeedimetla.
3 K.Ajay Babu Plot No.61, Servicing Building Near S.R.Market Rd.No.II, Kukatpalli Housing Colony, Kukatpalli, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly a writ of HABEAS CORPUS for the production of Kadiyala Ram Babu who is in the illegal detention of the 2nd Respondent and set him free and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.L.RAVICHANDER

Counsel for the Respondent No.1: THE ADVOCATE GENERAL

The Court made the following :

ORAL ORDER: (per GB.J.)

The Writ Petition is filed seeking Writ of Habeas Corpus directing production of Kadiyala Ram Babu and for setting him free.

2. During the course of hearing of the Writ Petition, this Court passed interim order on 30.4.2004 to the effect that the mother may be permitted to have the custody of the said Kadiyala Ram Babu and she shall provide medical care besides maternal care to him. Now it is brought to our notice that the said Ram Babu was handed over to the petitioner-mother and this Court recorded the said fact.

3. The learned counsel for the 3rd respondent now submits that even though the said Ram Babu was in the hands of the petitioner, yet it is his grievance that no proper care is being taken and presently he is not to be found in the custody of the petitioner.

4. We are not inclined to go into the aspect raised by the learned counsel for the 3rd respondent. Inasmuch as the relief claimed in the Writ Petition was already granted to the petitioner and the said Kadiyala Ram Babu was handed over to the petitioner-mother, we do not find any ground to proceed with the matter further.

5. Accordingly the Writ Petition is closed. However, we make it clear that it is open for the 3rd respondent to visit his brother-Kadiyala Ram

Babu, who is in the custody of the petitioner-mother, and assist her in taking proper care of the said person.

(G.BIKSHAPATHY, J.)

29th July, 2004.

(CH.S.R.K.PRASAD, J.)

SSR

To

1 The StationHouse Officer Jeedimetla Police Station
2 The Integrated Welfare Society Sahakar Home for the Aged and Mentally Handicapped, Subhash Nagar (Krishna Nagar), Jeedimetla.
3. 2CCs to Advocate General, High Court Buildings (OUT)

4. 2CD copies.